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BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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|---------------------------------|---|---------------------|
| IN THE MATTER OF TENTATIVE      | : |                     |
| DECISION TO APPROVE A LARGE     | : | NOTICE OF TENTATIVE |
| MINING AND RECLAMATION PLAN     | : | DECISION TO APPROVE |
| FOR INTERSTATE BRICK COMPANY'S, | : |                     |
| ALLRED MINE, UTAH COUNTY, UTAH  | : | NO. M/049/029       |

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION,  
MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS  
INTERESTED IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SLBM, UTAH  
COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Large Mining Operations Notice of Intention for Interstate Brick Company's Allred Mine. Mining activities will affect the following area: portions of the South  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 9, Township 5 South, Range 1 West, SLBM, Utah County, Utah.

Interstate Brick Company has submitted a permit application to expand an existing small mining project to a large mining operation. Reclamation surety will be provided to the Division for the proposed project disturbance. The operator will employ the following mining and reclamation techniques on approximately 15.6 acres of private land.

**During Operations:**

Topsoil and overburden will be removed and stockpiled for later reclamation. As the mine progresses, these materials will be direct hauled to reclaim mined out areas. The clay layer is removed with a trackhoe and stockpiled for hauling to the processing plant later on. As the mine advances into the hill in a southwesterly direction, the area will be benched. A safety berm will be constructed at the top of the highwall to prevent access to the active area. An estimated 11,250 cubic yards of material will be mined annually. No air quality permits are required for this operation.

**After Operations:**

The remaining highwall will be benched and disturbed areas will be regraded. Overburden will be replaced to reduce slopes to a desired 3h to 1v. Topsoil will be replaced at an average depth of seven inches and amended with 10 ton per acre of organic material. Roads no longer needed

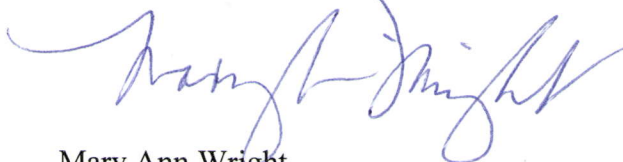
for access to the property will be reclaimed by ripping to a depth of 18 inches to eliminate compaction. A thin layer of soil or organic material will be spread over the roughed road. All disturbed areas will be broadcast seeded in the fall with an approved seed mix designed to enhance the intended post-mining land use of grazing and wildlife habitat. There are no surface facilities, ponds, shafts, etc. that would require specialized reclamation plans.

The person representing the company is Mr. John Hewitt; Phone (801) 280-5200. Interstate Brick Company is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint and if a hearing is desired. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 6th day of July, 2005

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING



Mary Ann Wright  
Associate Director, Mining

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Large Mining Notice of Intention for Interstate Brick Company's Allred Mine project, M/049/029 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 6th day of July, 2005 to:

FACSIMILE: 237-2776 and  
E-MAIL: [naclegal@nacorp.com](mailto:naclegal@nacorp.com)  
Salt Lake Tribune  
Advertising Department  
116 Regent Street  
P.O. Box 45838  
Salt Lake City, Utah 84145

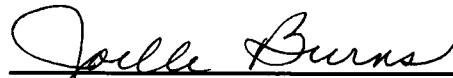
FACSIMILE: (801) 373-5489 and  
E-MAIL : [dhlegals@heraldextra.com](mailto:dhlegals@heraldextra.com)  
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CERTIFIED RETURN RECEIPT  
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Salt Lake Field Office  
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Salt Lake City, Utah 84119

Utah Power & Light Company  
1407 West North Temple  
Salt Lake City, Utah 84110

  
Joelle Burns, Secretary